REMARKS

The Office Action mailed on October 2, 2007 has been reviewed and the comments of the Examiner carefully considered. Claims 1-8 are pending in this application and currently stand rejected. Claims 1, 2, 4, 5, 7 and 8 have been amended to clarify the scope and spirit of the claimed invention and to address the objections raised by the Examiner under 35 U.S.C. § 103.

In view of the above amendments and the following discussion, the Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Thus, the Applicants believe that each of these claims is now in condition for allowance.

REJECTIONS

A. Response to §103 Rejection of Claims 1-3 and 7

The Examiner rejected claims 1-3 and 7 as being unpatentable under 35 U.S.C. §103(a) over Scala (bothmans.bk) in view of Kuo (US 2002/0078453). The Applicants respectfully traverse this rejection.

Regarding independent claim 1, the Examiner states that Scala teaches the features of the Applicants' claim 1 except for "automatically forwarding to the player at the cable headend updated content by fetching updated content over the internet from an on-line content source unaffiliated with a party performing the delivering or the cable channel and forming an updated content page using the updated content" (Office Action, pages 3-4) and "broadcasting the updated content page as a video signal over the cable channel" (Office Action, page 4). The Examiner states that Kuo teaches these missing features in an analogous art. The Examiner concludes that the combination of Scala and Kuo teaches every feature of claims 1-3 and 7. The Applicants respectfully disagree.

Scala generally teaches a method for creating a series of content pages and broadcasting these content pages as a video signal over a cable channel. Kuo

generally teaches generating a customized startup page for an Electronic Programming Guide (EPG) based on a user profile, where content of the startup page may be obtained from a remote server over the Internet. The startup page is generated upon a selection made by the user, or startup of a Set Top Box (STB) or television (Kuo, page 4, para[0038]). Upon generation of the startup page, updated information may be retrieved and displayed on the page.

The combination of Scala and Kuo as cited by the Examiner teaches a method for creating a customized EPG startup page, or a series of such pages, for an individual cable TV viewer. Content displayed on the page may be updated based on a trigger from the individual viewer causing the startup page to be regenerated (i.e., making a selection or turning on the STB or television). In response to the user input (i.e., launch of the EPG), the startup page is updated.

In contrast, the Applicants' amended claim 1 recites creating a series of content pages that are scheduled for broadcast, where at least one of the content pages is automatically updated at the time of the scheduled broadcast of the series of pages. The combination of Scala and Kuo teaches generating an updated startup page as a result of an action by a viewer, but fails to teach or suggest the scheduling of a series of content pages and automatically updating the at least one page at the time of broadcast. Both Scala and Kuo are devoid of teaching automatically updating scheduled content pages at the time of the scheduled broadcast. As such, the cited combination does not teach every feature of the Applicants' amended claim 1 and therefore does not render obvious the Applicants' amended claim 1.

Amended claim 2 and claim 3 depend from amended claim 1 and recite additional features thereof. Since the combination of Scala and Kuo does not teach, suggest, or render obvious the Applicants' invention recited in amended claim 1, the cited combination further fails to teach, suggest, or render obvious amended claim 2 or claim 3.

The Applicants have amended independent claim 7 to recite similar features to those of amended claim 1. Therefore, and for the same reasons set forth above, the combination of Scala and Kuo does not teach, suggest, or render obvious the Applicants' invention of amended claim 7.

In view of the foregoing, the Applicants contend that amended claims 1, 2, 3, and 7 and are patentable over the cited references and, as such, fully satisfy the requirements of 35 U.S.C. §103. The Applicants respectfully request that the present rejection of such claims be withdrawn.

B. Response to §103 Rejection of Claims 4, 6, and 8

The Examiner rejected claims 4, 6, and 8 as being unpatentable over Rowe et. al (US 6,792,615) in view of Scala (bothmans.bk), and further in view of Fluss (US 6,304,578). The Applicants respectfully traverse this rejection.

Rowe generally teaches a method for generating and distributing broadcast quality streaming media content to a large number of remote nodes, where the remote nodes are geographically diverse. Rowe describes Remote Channel Origination Nodes (RCONS) which receive various program elements, which may include weather alerts, where the program elements are used to provision customized local programming content. As further described by Rowe, the local programming content is delivered from the RCONs to headend devices to distribute the programming to viewers. As stated above, Scala generally teaches a method for creating a series of content pages for broadcast over a cable channel. In the reference cited by the Examiner, Fluss describes a cable modem system where data packets from the internet are routed via a cable modem headend to the appropriate users. The Examiner concludes that the combination of Rowe, Scala, and Fluss teaches every feature of claims 4, 6, and 8. The Applicants respectfully disagree.

Regarding independent claim 4, the combination of Rowe, Scala, and Fluss as cited by the Examiner teaches a method for creating a series of content pages that may be transmitted over the internet to remote nodes, where the content pages are then suitably combined at the remote node with appropriate local programming elements for distribution to viewers. Weather alert information may also be received at the remote nodes and combined with the local programming elements for distribution to viewers.

In contrast, the Applicants' amended claim 4 recites a method where an alert is automatically fetched from an on-line content source, via the internet, by one or more players located at one or more channels which broadcast the alert as part of a series of

content pages. Specifically, the alert is fetched based upon information contained in the series of content pages. Further, the alert is created by a user and delivered via the internet to an on-line content source affiliated with the user. For example, a police employee may create an AMBER alert and deliver the alert to a website affiliated with the police department. The alert will then be fetched in response to information contained in the series of content pages, i.e., code within the pages addresses the URL containing the alert. If an alert is available, the alert is fetched and inserted in the broadcast of the series of content pages. The cited combination of Rowe, Scala, and Fluss teaches methods for delivering information, including an alert, to remote nodes to be suitably combined and further distributed for viewing, but fails to teach the concept of automatically fetching the alert based upon information within the series of content pages. Further, the cited combination fails to teach retrieving the alert information from an on-line source affiliated with the user who created the alert. As such, the cited combination does not teach every feature of the Applicants' amended claim 4 and therefore does not render obvious the Applicants' amended claim 4.

Claim 6 depends from amended claim 4 and recites additional features thereof. Since the combination of Rowe, Scala, and Fluss does not teach, suggest, or render obvious the Applicants' invention recited in amended claim 4, the cited combination further fails to teach, suggest, or render obvious claim 6.

The Applicants have amended independent claim 8 to recite similar features to those of amended claim 4. Therefore, and for the same reasons set forth above, the combination of Rowe, Scala, and Fluss does not teach, suggest, or render obvious the Applicants' invention of amended claim 8.

In view of the foregoing, the Applicants contend that amended claims 4 and 8 and claim 6 are patentable over the cited references and, as such, fully satisfy the requirements of 35 U.S.C. §103. The Applicants respectfully request that the present rejection of such claims be withdrawn.

C. Response to §103 Rejection of Claims 5

The Examiner rejected claim 5 as being unpatentable over Rowe et. al (US 6,792,615) in view of Scala (bothmans.bk), in view of Fluss (US 6,304,578), and further in view of Kuo (US 2002/0078453). The Applicants respectfully traverse this rejection.

The Examiner states that the combination of Rowe, Scala, and Fluss teaches the features of the Applicants' claim 5 with the exception of the content page including text comprising a programming code directing the player to an on-line content source (Office Action, page 13). The Examiner states that Kuo paragraph [0031] "teaches query links that directly query website sites such as a weather service site in order to update information on a content page" (Id.) and concludes that Kuo teaches this missing feature. The Examiner concludes that the combination of Rowe, Scala, Fluss, and Kuo teaches every feature of the Applicants' claim 5. The Applicants respectfully disagree.

As described above, Kuo generally teaches generating a customized startup page for an Electronic Programming Guide (EPG) based on a user profile, where content of the startup page may be obtained from a remote server over the Internet. As described in Kuo paragraphs [0031] and [0032], query links are generated as a result of the startup page generation program querying a user database to determine the user's profile. Based on the user profile, the query links may retrieve information from an on-line content source. The startup page generation program then creates the customized startup page using this information. The cited combination of Rowe, Scala, Fluss, and Kuo would therefore provide a method of generating a customized startup page where updated information for display is retrieved from an online content source as a result of queries initiated by a program that generates the customized startup page.

In contrast, the Applicants' amended claim 5 recites that the content page itself contains programming code directing at least one player to retrieve updated content from an online source. The cited combination of Rowe, Scala, Fluss, and Kuo fails to teach or suggest the feature of the content page itself containing programming code that initiates the retrieval of updated information. As such, the cited combination does not teach every feature of the Applicants' amended claim 5 and therefore does not render obvious the Applicants' amended claim 5.

Accordingly, the Applicants contend that amended claim 5, which depends from amended claim 4, is patentable over the cited references and, as such, fully satisfies the requirements of 35 U.S.C. §103. The Applicants respectfully request that the present rejection of such claims be withdrawn.

CONCLUSION

In view of the foregoing, the Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Consequently, the Applicants believe that all of these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone Mr. Raymond R. Moser Jr. at (732) 978-4890 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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